

REMARKS

The present amendment introduces claim cancellations without prejudice and also amendments to claim 6. These amendments introduce in such claim recitation from its parent claim (presently canceled). Support for this amendment is therefore provided by at least the recitation of the originally filed claims.

The rejection under 35 U.S.C. § 112 ¶ 1 is traversed and its withdrawal is requested.

The Office Action states that reference materials show that cathepsin S inhibitors are effective in an asthma model, “but lack[] further teaching as to other allergic conditions” Office Action, p. 4. This is contrary to the teachings provided in the present Application that, *inter alia*, discloses a common cause for allergic conditions. *See, e.g.*, Application, pp. 1-3. Applicants note that the Office Action does not make a *prima facie* case showing that these teachings are incorrect.

The triggering mechanisms and the molecular-level cascades referred to in the Application are accepted as the basis of allergic conditions by those of ordinary skill in the art. In this regard, those of ordinary skill in the art refer generically to “allergy” or to “allergic condition” when providing such molecular basis, because despite the variety of external target sites, “allergic diseases share a common triggering mechanism”. A.E. Semper, *et al.*, Dendritic Cells in Allergy, p. 436, in *Dendritic Cells: Biology and Clinical Applications*, Ch 24, pp. 436-56, Academic Press 1999. See also N. Novak, *et al.*, Dendritic Cells in Allergy, *Allergy* 54(8), 792-803 (1999); D. von Bubnoff, *et al.*, Antigen-presenting Cells In Allergy, *J. Allergy Clin. Immunol.* 108(3), 329-339 (2001).

The claims recite methods for treating an allergic condition. The written description provides teachings on common causes at molecular level for allergic conditions, causes that

are traced to Cathepsin S and the modulation of its activity. Cathepsin S inhibition assays and results of such assays are given in the present Application for a variety of compounds. The present Application describes how compounds that modulate Cathepsin S are prepared and characterized, how the assays are performed, and how monitoring of Cathepsin S inhibition in human beings is performed. Furthermore, the present Application describes the basis for the relationship between Cathepsin S inhibition and allergic conditions. In light of this claimed subject matter and the teachings provided in the written description, the Office Action fails to make a *prima facie* case of noncompliance with 35 U.S.C. § 112 ¶ 1.

Applicants request favorable consideration of the present Response.

Respectfully submitted,

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